

EXHIBIT G

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE JOSEPH C. SPERO, MAGISTRATE

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff: Orrick, Herrington & Sutcliffe
1000 Marsh Road
Menlo Park, California 94025
BY: INDRA NEEL CHATTERJEE, ESQ.
MORVARID METANAT, ESQ.

For Defendant: Bursor & Fisher, P.A.
1900 North California Boulevard
Suite 940
Walnut Creek, California 94596
BY: **LAWRENCE TIMOTHY FISHER, ESO.**

Also Present: Steven Vachani

Reported By: Debra L. Pas, CSR 11916, CRR, RMR, RPR

Official Reporter - US District Court

Computerized Transcription By Eclipse

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P R O C E E D I N G S

NOVEMBER 4, 2011

1:36 p.m.

THE CLERK: Calling Case No. C08-5780, FaceBook
versus Power Ventures.

MR. FISHER: Good afternoon, your Honor. Timothy Fisher for the defendants.

THE COURT: Mr. Fisher, welcome.

9 **MS. METANAT:** Your Honor, Morvarid Metanat and Neel
10 Chatterjee for plaintiff Facebook.

11 **THE COURT:** Welcome, welcome. So you probably caught
12 the gist of where I'm going from our last discussion. I
13 don't -- having reviewed the papers, I think the search was
14 transparently inadequate, both in the sense of figuring out
15 what the scope ought to be in terms of what computers, email
16 accounts, et cetera are to be searched and the rigor with which
17 they were searched, and -- and the rigor with which they were
18 searched.

I also think that it's clear that all the interroqatories that were done, were answered, were inadequate.

21 So what I want to do is order additional production
22 and additional interrogatories as sought, but I want to figure
23 out what that means. So what I was going to do -- and I know
24 that your client is showing up soon, but I want you to start
25 thinking about it now -- is order you all to go into the jury

1 **THE COURT:** All right. I understand that you've
2 represented to the defendants that the only places --

3 **MR. FISHER:** Plaintiffs, your Honor.

4 **THE COURT:** Plaintiffs, sorry. Thank you.

5 **MR. CHATTERJEE:** I know. I'm normally on the other
6 side of the room.

7 **THE COURT:** I'm confused.

8 I understand that you have represented to counsel for
9 the plaintiffs that the only place where electronic information
10 is stored that might have any conceivable relevance to this
11 dispute with Facebook is on the ASA Drive, which I understand
12 is online?

13 **MR. VACHANI:** It's an on-line backup of all of our
14 servers.

15 **THE COURT:** Online backup drive. Or on your Yahoo
16 email account.

17 **MR. VACHANI:** It's where all emails that I've sent or
18 received in the last five years for all accounts are all there.

19 **THE COURT:** So there wouldn't be any -- all existent
20 electronic information that might have any relevance to this
21 dispute that exists in the world, there would -- the
22 only place, if it exists, it can be found on one of those two
23 sources.

24 **MR. VACHANI:** That pertains to me. Something that I
25 have sent or received. They have already gone through the

1 process with every other relevant person. So anything that
2 relates to me.

3 **MR. CHATTERJEE:** Or Power.

4 **MR. VACHANI:** Well, I can't speak for every single
5 employee of Power, 150 employees.

6 **MR. CHATTERJEE:** So...

7 So, your Honor, the issue here is the employees are
8 gone. The representation is that everything that would be
9 within Power Venture's control, custody or control, are those
10 two things.

11 **MR. VACHANI:** Yes. This is what is in Power Ventures
12 control, correct.

13 **THE COURT:** Let me do it again.

14 **MR. CHATTERJEE:** Thanks.

15 **THE COURT:** Is it true that everything, every bit or
16 byte of electronic information that is in any way related to
17 this dispute that is either within your control or within the
18 control, custody and control of Power Ventures, Inc., copies of
19 all that electronic information, to the extent exists anywhere
20 in the world, would be on one of these two sources, the ASA
21 Drive or use who email account, is that correct?

22 **MR. VACHANI:** That's correct.

23 **THE COURT:** Okay.

24 **MR. CHATTERJEE:** Thank you, your Honor.

25 **THE COURT:** So I will order -- I'm granting the

CERTIFICATE OF REPORTER

I, DEBRA L. PAS, Official Reporter for the United States Court, Northern District of California, hereby certify that the foregoing proceedings in C 08-5780 JW (JCS), FACEBOOK, INC. vs POWER VENTURES, et al were reported by me, a certified shorthand reporter, and were thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said proceedings as bound by me at the time of filing.

The validity of the reporter's certification of said transcript may be void upon disassembly and/or removal from the court file.



/s/ Debra L. Pas

Debra L. Pas, CSR 11916, CRR, RMR, RPR

Monday, November 21, 2011